UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE KNOXVILLE DIVISION

ROBERT J. ATKINS,)
Plaintiff,) 3:23-CV-00003-DCLC-JEM
v.)
STEVEN SWORD, et al.,)
Defendants.)
)

ORDER

This matter is before the Court to consider the Report and Recommendation ("R&R") of the United States Magistrate Judge [Doc. 11]. In the R&R, the magistrate judge recommends that Plaintiff's Application to Proceed In Forma Pauperis [Doc. 4] be denied and that Plaintiff be given 21 days to pay the \$350.00 filing fee [Doc. 11, pg. 2]. The R&R further recommends that the case be dismissed without prejudice if Plaintiff fails to pay the fee in that time [*Id.*]. The parties did not file objections to the R&R. *See* Fed.R.Civ.P. 72(b).

After thorough consideration of the R&R and the record as a whole, the Court finds that the R&R properly analyzes the issues presented. For the reasons set out in the R&R, which are incorporated by reference herein, it is hereby **ORDERED** that the R&R [Doc. 11] is **ADOPTED**, and Plaintiffs' Application to Proceed In Forma Pauperis [Doc. 4] is **DENIED**. Plaintiff shall have until **Friday, May 12, 2023** to pay the \$350.00 filing fee. Failure to pay the fee will result in dismissal of this case without prejudice.

SO ORDERED:

Failure to file objections within the 14-day period pursuant to Rule 72(b) results in waiver of the right to appeal the Court's order. *Thomas v. Arn*, 474 U.S. 140, 153-54 (1985).

s/	Clifton	I.	Corl	ker
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United States District Judge